

February 23, 2012

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: **EB Docket 06-36, Annual 47 C.F.R. § 64.2009(e) CPNI Certification**

Annual 64.2009(e) CPNI Certification for 2012 covering the prior calendar year 2011

Date filed: February 23, 2012

Name of company covered by this certification:

Computer 5*, Inc. d/b/a LocalTel Communications

Form 499 Filer ID: **821008**

Name of signatory: **John Seabeck**

Title of signatory: **Corp. VP and Secretary**

Dear Ms. Dortch:

Pursuant to Section 64.2009(e) of the Commission's rules, 47 C.F. R. § 64.2001(e), enclosed for filing in the above-referenced docket is the executed annual CPNI Compliance Certificate of Computer 5*, Inc. d/b/a LocalTel Communications. Attached to the certificate is a summary of the its CPNI policies and procedures.

Respectfully submitted,



Paul B. Hudson
Counsel for Computer 5, Inc. d/b/a LocalTel
Communications*

CERTIFICATE OF COMPLIANCE

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2012 covering the prior calendar year 2011


1. Date filed: February 22, 2012
2. Name of company covered by this certification: Computer 5*, Inc. d/b/a LocalTel Communications
3. Form 499 Filer ID: 821008
4. Name of signatory: John Seabeck
5. Title of signatory: Corp. VP and Secretary
6. Certification:

I, John Seabeck, Corp. VP and Secretary of Computer 5*, Inc. d/b/a LocalTel Communications ("LocalTel") hereby certify, acting as an agent of LocalTel, that I am an officer of LocalTel and that I have personal knowledge that LocalTel has implemented established operating procedures, summarized in the attached statement, that are adequate to ensure ongoing compliance with the Commission's customer proprietary network information ("CPNI") rules set forth in Part 64, Subpart U of the Commission's rules, 47 C.F.R. §§ 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the LocalTel's procedures ensure that it is in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping, and supervisory review) set forth in Section 64.2001 *et seq.* of the Commission's rules.

LocalTel has not received any customer complaints in the past calendar year concerning unauthorized release of CPNI, and does not have any material information with respect to the processes pretexters are using to attempt to access CPNI that is not already a part of the record in the Commission's CC Docket No. 96-115. LocalTel has therefore not taken any actions in the past calendar year against data brokers, including proceedings instituted or petitions filed by the company at either state commissions, the court system or at the Commission. LocalTel has established procedures to report any future breaches to the FBI and United States Secret Service, and it has emphasized in its employee training of the need for vigilance in identifying and reporting unusual activity in order to enable the company to continue to take reasonable measures to discover and protect against pretexting and other unauthorized access to CPNI.

I hereby represent and warrant that the above certification is consistent with Section 1.17 of the Commission's rules, 47 C.F.R. § 1.17, which requires truthful and accurate statements to the Commission, and acknowledge that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject LocalTel to enforcement actions.


John Seabeck
Corp. VP and Secretary
Computer 5*, Inc.

Executed February 22, 2012

CPNI Compliance Policies of Computer 5*, Inc.
d/b/a LocalTel Communications

Effective December 8, 2007

Computer 5*, Inc. d/b/a LocalTel Communications (“LocalTel”) has implemented the following policies and procedures to protect the confidentiality of Customer Proprietary Network Information (“CPNI”) and to assure compliance with the rules of the Federal Communications Commission (“FCC”) set forth in 47 C.F.R. Part 64, Subpart U, Section 2001 *et seq.*, as revised by the FCC’s new rules adopted in *Implementation of the Telecommunications Act of 1996: Telecommunications Carriers’ Use of Customer Proprietary Network Information and Other Customer Information*, CC Docket No. 96-115, Report and Order and Further Notice of Proposed Rulemaking, FCC 07-22 (rel. April 2, 2007).

CPNI is “(A) information that relates to the quantity, technical configuration, type, destination, location, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and (B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier.”

LocalTel’s policy is administered by its Vice President, John Seabeck, LocalTel’s CPNI Compliance Supervisor. [REDACTED]

I. USE, DISCLOSURE OF, AND ACCESS TO CPNI

LocalTel will use, disclose, or permit access to individually identifiable CPNI only in its provision of the communications service from which such information is derived; for services necessary to, or used in, the provision of such communications service, including the publishing of directories; to initiate, render, bill and collect for telecommunications services; to protect the rights or property of LocalTel, or to protect users or other carriers or service providers from fraudulent or illegal use of, or subscription to, such services; to market services within the package of services to which the customer already subscribes, including, for local exchange customers, to market services formerly known as adjunct-to-basic services (such as, but not limited to, speed dialing, computer-provided directory assistance, call monitoring, call tracing, call blocking, call return, repeat dialing, call tracking, call waiting, caller I.D., call forwarding, and certain centrex features); to provide inside wiring installation, maintenance, or repair services; as required by law (such as pursuant to a valid request from law enforcement or a court order or other appropriate authority); or as expressly authorized by the customer.

LocalTel does not use a customer’s CPNI for outbound marketing services in a category of service that it does not already provide to that subscriber. LocalTel may also use, disclose, or permit access to CPNI to provide inbound marketing, referral or administrative services to the customer for the duration of the call, if the call was initiated by the customer and the customer approves of the carrier’s use to provide such service. In requesting such approval, the LocalTel representative must explain that the customer has a right, and that LocalTel has a duty, under

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federal law, to protect the confidentiality of CPNI; specifies the types of CPNI that would be used for the call and the purposes for which it would be used; informs the customer of his or her right to decline such use and that such denial will not affect the provision of any services to which the customer subscribes; and will not attempt to encourage a customer to freeze third-party access to CPNI.

LocalTel does not use, disclose or permit access to CPNI to identify or track customers that call competing service providers.

All uses of CPNI for outbound marketing and any request for customer approval for such use must be pre-approved by a marketing supervisor or the CPNI Compliance Supervisor.

II. SAFEGUARDS AGAINST DISCLOSURE OF CPNI TO UNAUTHORIZED PARTIES

Above and beyond the specific FCC requirements, LocalTel will take reasonable measures to discover and protect against attempts to gain unauthorized access to CPNI. The FCC's rules require carriers on an ongoing basis to "take reasonable measures to discover and protect against activity that is indicative of pretexting." If any employee becomes aware of new methods that are being used or could be used by third parties to attempt to obtain unauthorized access to CPNI, or of possible changes to LocalTel's existing policies that would strengthen protection of CPNI, they should report such information immediately to LocalTel's CPNI Compliance Supervisor so that LocalTel may evaluate whether existing policies should be supplemented or changed.

A. Inbound Calls to LocalTel Requesting CPNI

Call Detail Information (CDI) includes any information that pertains to the transmission of specific telephone calls, including, for outbound calls, the number called, and the time, location, or duration of any call and, for inbound calls, the number from which the call was placed, and the time, location, or duration of any call. LocalTel will not provide CDI to an inbound caller except under the following conditions:

- A CSR can reveal CDI if the caller provides the Personal Identification Number (PIN) that LocalTel assigns to the customer's account. [REDACTED]
- [REDACTED]
- The CSR may offer to call the caller back at the customer's telephone number of record. The CSR may not rely on Caller ID information to assume that the caller is calling from such number; they must disconnect the inbound call and make a new outbound call to that number.

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- The CSR may offer to send a copy of a bill or requested CDI to a mailing address of record for the account, but only if such address has been on file with LocalTel for at least 30 days.

[REDACTED]

B. Online Access to CPNI

At this time, LocalTel does not offer online accounts that provide access to any CPNI. If LocalTel offers such access in the future, it will revise these policies to comply with the FCC's requirements for password protection of such accounts.

C. In-Person Disclosure of CPNI at LocalTel Offices

LocalTel may disclose a customer's CPNI to an authorized person visiting a LocalTel office upon verifying that person's identity through a valid, non-expired government-issued photo ID (such as a driver's license, passport, or comparable ID) matching the customer's account information.

D. Notice of Account Changes

When a PIN is created or changed, LocalTel will send a notice to customer's address of record notifying them of the change. When an address of record is created or changed, LocalTel will send a notice to customer's former address of record notifying them of the change. These notice requirements do not apply when the customer initiates service. Each of the notices provided under this paragraph will not reveal the changed information and will direct the customer to notify LocalTel immediately if they did not authorize the change.

E. Additional Safeguards

[REDACTED]

III. REPORTING CPNI BREACHES TO LAW ENFORCEMENT

Any LocalTel employee that becomes aware of any breaches, suspected breaches or attempted breaches of CPNI must report such information immediately to the LocalTel CPNI Compliance Supervisor, and must not report or disclose such information by any employee to any non-employee, including the potentially affected customer, except in express conformance with the procedures described below. Any employee that fails to report such information will be subject to disciplinary action that may include termination.

LocalTel's CPNI Compliance Supervisor is John Seabeck, [REDACTED]

It is LocalTel's policy that employees should not be discouraged from reporting information about breaches that may have been caused in part by their own actions or omissions. Once a breach has occurred, the most important objective is to attempt to limit the damage to customers,

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make any adjustments as needed to prevent a recurrence of the breach, and to alert law enforcement promptly. Therefore, although employees who violate LocalTel's CPNI compliance procedures are subject to discipline, the sanctions may be substantially reduced where employees promptly self-report violations if appropriate.

A. Identifying a "Breach"

A "breach" has occurred when any person, without authorization or exceeding authorization, has intentionally gained access to, used, or disclosed CPNI. If an employee has information about an incident and is not certain that the incident would not constitute a breach under this definition, the incident must be reported to the CPNI Compliance Supervisor.

If a LocalTel employee determines that an unauthorized person is attempting to gain access to CPNI but does not succeed at doing so, no breach has occurred. However, the incident must be reported to LocalTel's CPNI Compliance Supervisor who will determine whether to report the incident to law enforcement and/or take other appropriate action. LocalTel's CPNI Compliance Supervisor will determine whether it is appropriate to update LocalTel's CPNI policies or training materials in light of any new information; the FCC's rules require LocalTel on an ongoing basis to "take reasonable measures to discover and protect against activity that is indicative of pretexting."

B. Notification Procedures

As soon as practicable, and in no event later than seven (7) business days upon learning of a breach, the LocalTel CPNI Compliance Supervisor shall electronically notify the United States Secret Service (USSS) and the Federal Bureau of Investigation (FBI) by accessing the following link: <https://www.cpnireporting.gov>. [REDACTED]. If this link is not responsive, they should contact counsel or the FCC's Enforcement Bureau (202-418-7450 or <http://www.fcc.gov/eb/cpni>) for instructions.

[REDACTED].

IV. RECORD RETENTION

The LocalTel CPNI Compliance Supervisor is responsible for assuring that we maintain for at least two years a record, electronically or in some other manner, of any breaches discovered, notifications made to the USSS and the FBI pursuant to these procedures, and notifications of breaches made to customers. The record must include, if available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach.

LocalTel maintains a record, for a period of at least one year, of: (1) those limited circumstances in which CPNI is disclosed or provided to third parties, or where third parties were allowed access to CPNI (pursuant to a valid request from law enforcement, court order or other appropriate authority); (2) of supervisory review of outbound marketing that proposes to use

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CPNI or to request customer approval to disclose CPNI; and (3) its sales and marketing campaigns that use its customers' CPNI, including a description of each campaign, the specific CPNI that was used in the campaign, and the products and services offered as a part of the campaign.

LocalTel maintains a record of all customer complaints related to their handling of CPNI, and records of LocalTel's handling of such complaints, for at least two years. The CPNI Compliance Supervisor will assure that all complaints are reviewed and that LocalTel considers any necessary changes to its policies or practices to address the concerns raised by such complaints.

LocalTel will have an authorized corporate officer, as an agent of the company, sign a compliance certificate on an annual basis stating that the officer has personal knowledge that LocalTel has established operating procedures that are adequate to ensure its compliance with FCC's CPNI rules. The certificate for each year will be filed with the FCC Enforcement Bureau in EB Docket No. 06-36 by March 1 of the subsequent year, and will be accompanied by a summary or copy of this policy that explains how LocalTel's operating procedures ensure that it is in compliance with the FCC's CPNI rules. In addition, the filing must include an explanation of any actions taken against data brokers and a summary of all customer complaints received in the past year concerning the unauthorized release of CPNI. Confidential portions of these submissions shall be redacted from the public version of the filing and provided only to the FCC.

V. TRAINING

[REDACTED]. All employees with such access receive a copy of LocalTel's CPNI policies and are informed that (i) any use or disclosure of CPNI or other act or omission not in compliance with such policies will result in disciplinary action, including the termination of employment where appropriate, and (ii) employees who knowingly facilitate the unauthorized disclosure of a customer's confidential information may be subject to criminal penalties. In addition, LocalTel requires CPNI training for all CSRs, personnel at retail offices that may receive requests for CPNI, and marketing personnel. LocalTel conducted revised training of its CSRs prior to December 8, 2007 to reflect the new policies set forth herein. [REDACTED].